



Atty. Docket No. 48506-00009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/655,598  
Applicant Jörg HAGER et al.  
Filed 5 September 2003  
TC/Art Unit Unassigned  
Examiner Unassigned

Docket No. 48506-00009  
Customer No. 23767

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.56(b)

Mail Stop DD  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

In order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56, submitted herewith on Form PTO/SB/08A is a listing of documents known to Applicants. The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

Applicants are submitting herewith on Form PTO/SB/08A a list of the documents cited by or submitted to the Patent Office in parent application Serial No. 09/936,299, filed on 20 December 2001. The relevance of these documents is explained in the parent application.


As provided in 37 C.F.R. 1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 09/936,299, filed on 20 December 2001.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. § 609.

This statement is being filed in compliance with 37 CFR §1.97(b), within three (3) month of the filing date of the application. Accordingly, no fee is required in connection with this filing. Nonetheless, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this paper to undersigned's Deposit Account No. 50-1067.

Respectfully submitted,

5 December 2003

  
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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/655,598	
			Filing Date	5 September 2003	
			First Named Inventor	Jörg HAGER	
			Art Unit	Unassigned	
			Examiner Name	Unassigned	
Sheet	1	of	1	Attorney Docket Number	48506-00009

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	5,750,335	05/12/1998	Gifford	
	A2	5,879,886	03/09/1999	Meo et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>	
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					
	A3	WO 89/12695 A	12/28/1989	Genelabs Inc.			
	A4	WO 95/12688 A	05/11/1995	US Biochemical Corp			
	A5	WO 95/12689 A	05/11/1995	Gene Check Inc; Wagner, Robert E., Jr. (US)			
	A6	WO 96/17082 A	06/06/1996	Du Pont; Morgante, Michele (IT) Vogel, Julie Marie (US)			
	A7	WO 96/23903 A	08/08/1996	Landegren Ulf, Lagerqvist Arild (SE)			
	A8	WO 96/41002 A	12/19/1996	Genzyme Corp			
	A9	WO 93/22457 A	11/11/1993	Massachusetts Institute of Technology			
	A10	WO 93/22462 A	11/11/1993	Univ Leland Stanford Junior			
	A11	WO 99/25872 A	05/27/1999	Hexagen Technology Limited			

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A12	Klein et al., 96 PROC. NAT'L. ACAD. SCI. 4494-99 (1999)	
	A13	Lishanski et al., 91 PROC. NAT'L. ACAD. SCI. 2674-78 (1994)	
	A14	Cheung et al., 47 GENOMICS 1-6 (1998)	
	A15	McAllister et al., 47 GENOMICS 7-11 (1998)	
	A16	Smith et al., 93 PROC. NAT'L. ACAD. SCI. 4374-79 (1996)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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